



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fenwick et al.

Serial No. : 09/223,875 Group Art Unit: 2611

Filed : Dec. 31, 1998 Examiner: Rueben M. Brown

Title: MENUING SYSTEM FOR CONTROLLING CONTENT  
DELIVERY WITHIN A VIDEO DISTRIBUTION SYSTEM

INFORMATION DISCLOSURE STATEMENT

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 4, 2005  
Date of Deposit

Robert L. Maier  
Attorney Name

  
Signature

54,291  
Patent Reg. No.

May 4, 2005  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449 and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of all of the documents listed on the Form PTO-1449 are enclosed herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute

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PATENT

“prior art.” If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute “prior art” under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Applicants are enclosing a check for \$180.00 for fees due after the issuance of an Office Action. If any further fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:   
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Substitute for form 1449, TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of 1

**Complete if Known**

Application Number	09/223,875
Filing Date	Dec. 31, 1998
First Named Inventor	Fenwick et al.
Art Unit	2611
Examiner Name	Hunter B. Lonsberry

Attorney Docket Number 067834.0278 A3392

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
1	US- 5,781,734		7/98	Ohno, et al.	
2	US- 6,305,020		10/01	Hoarty, et al.	
3	US- 5,905,942		5/99	Stoel, et al.	
4	US- 5,931,901		8/99	Wolfe, et al.	
5	US- 5,581,270		12/96	Smith, et al.	
6	US- 6,148,142		11/00	Anderson	
7	US- 6,005,561		12/99	Hawkins, et al.	
8	US- 5,206,722		4/93	Kwan	
9	US- 6,301,616		10/01	Pal et al.	
10	US- 6,049,823		4/00	Hwang	
11	US- 5,850,218		12/98	LaJoie, et al.	
12	US- 6,005,565		12/99	Legall, et al.	
13	US- 6,449,654		9/02	Blackwell, et al.	
14	US- 5,973,684		10/99	Brooks, et al.	
15	US- 6,134,594		10/00	Holland, et al.	
16	US- 4,450,477		5/84	Lovett	
17	US- 5,641,319		6/97	Stoel, et al.	
	US-				
	US-				

**FOREIGN PATENT DOCUMENTS**

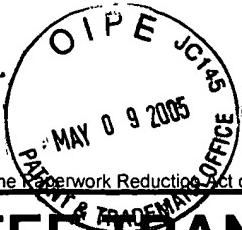
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2611

PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180

## Complete if Known

Application Number	09/223,875
Filing Date	Dec. 31, 1998
First Named Inventor	Fenwick, et al.
Examiner Name	Rueben M. Brown
Art Unit	2611
Attorney Docket No.	067834.0278 A34392

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number 02-4377  
Deposit Account Name Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	2001	Utility filing fee	
1002	2002	Design filing fee	
1003	2003	Plant filing fee	
1004	2004	Reissue filing fee	
1005	2005	Provisional filing fee	

**SUBTOTAL (1) (\$ 0**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20	=	X = 0
			-3	=	X = 0
					= 0

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	2202	Claims in excess of 20
1201	2201	Independent claims in excess of 3
1203	2203	Multiple dependent claim, if not paid
1204	2204	** Reissue independent claims over original patent
1205	2205	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$ 0**

\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee Code	Fee Description	Fee Paid
1051	2051	Surcharge - late filing fee or oath	
1052	2052	Surcharge - late provisional filing fee or cover sheet	
1053	1053	Non-English specification	
1812	1812	For filing a request for ex parte reexamination	
1804	1804	Requesting publication of SIR prior to Examiner action	
1805	1805	Requesting publication of SIR after Examiner action	
1251	2251	Extension for reply within first month	
1252	2252	Extension for reply within second month	
1253	2253	Extension for reply within third month	
1254	2254	Extension for reply within fourth month	
1255	2255	Extension for reply within fifth month	
1401	2401	Notice of Appeal	
1402	2402	Filing a brief in support of an appeal	
1403	2403	Request for oral hearing	
1451	1451	Petition to institute a public use proceeding	
1452	2452	Petition to revive - unavoidable	
1453	2453	Petition to revive - unintentional	
1501	2501	Utility issue fee (or reissue)	
1502	2502	Design issue fee	
1503	2503	Plant issue fee	
1460	1460	Petitions to the Commissioner	
1807	1807	Processing fee under 37 CFR 1.17(q)	
1806	1806	Submission of Information Disclosure Stmt	180
8021	8021	Recording each patent assignment per property (times number of properties)	
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	Request for Continued Examination (RCE)	
1802	1802	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 180**

(Complete if applicable)

Name (Print/Type)	Robert L. Maier	Registration No. (Attorney/Agent)	54,291	Telephone	212-408-2500
Signature	<i>Robert L. Maier</i>			Date	May 4, 2005

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.